

DEC 22 2003

Atty Docket No. 020618-000120US

PTO FAX NO.: (703) 872-9306

ATTENTION: Examiner Sharon L. Turner
TELEPHONE NO.: (703) 308-0056

Group Art Unit 1647

OFFICIAL

OFFICIAL COMMUNICATION
FOR THE PERSONAL ATTENTION OF
EXAMINER SHARON L. TURNER

CERTIFICATION OF FACSIMILE TRANSMISSION


I hereby certify that the following document(s) in re Application of Gregory S. Hageman, Application No. 10/007,270, filed November 8, 2001 for THERAPEUTICS AND DIAGNOSTICS FOR OCULAR ABNORMALITIES is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Document(s) Attached

1. Transmittal Form
2. Fee Transmittal
3. Petition for Extension of Time
4. Preliminary Amendment and Response to Restriction Requirement.

Number of pages being transmitted, including this page: 9

Dated: December 22, 2003


Scott L. Ausenhus

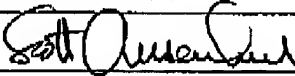
**PLEASE CONFIRM RECEIPT OF THIS PAPER BY
RETURN FACSIMILE AT (303) 571-4321**

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, CA 94111-3834
Telephone: 303-571-4000
Fax: 303-571-4321
60107153 v1

PTO/SB/21 (08-03)

| | | | |
|---|----------------------|------------------------|-----------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/007,270 | |
| | Filing Date | November 8, 2001 | |
| | First Named Inventor | Hageman, Gregory S. | |
| | Art Unit | 1647 | |
| | Examiner Name | Sharon L. Turner | |
| Total Number of Pages in This Submission | 1 | Attorney Docket Number | 020618-000120US |

| ENCLOSURES (Check all that apply) | | |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Postcard |
| Remarks | | The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430. |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|---|
| Firm or Individual | Townsend and Townsend and Crew LLP Scott L. Aussenhus Reg. No. 42,271 |
| Signature |  |
| Date | December 22, 2003 |

| CERTIFICATE OF MAILING | | |
|--|--------------------|-------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, Fax No. (703) 872-9306 on December 22, 2003 | | |
| Typed or printed name | Scott L. Aussenhus | |
| Signature | Date | December 22, 2003 |

60107133 v1

PTO/SB/17 (10-03)

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$)
55

Complete if Known

Application Number 10/007,270
 Filing Date November 8, 2001
 First Named Inventor Hageman, Gregory S.
 Examiner Name Sharon L. Turner
 Art Unit 1647
 Attorney Docket No. 020618-000120US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 20-1430

Deposit Account Name Townsend and Townsend and Crew LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|--------------|--------------|----------|----------|------------------------|----------|
| 1001 | 770 | 2001 | 385 | Utility filing fee | |
| 1002 | 340 | 2002 | 170 | Design filing fee | |
| 1003 | 590 | 2003 | 295 | Plant filing fee | |
| 1004 | 770 | 2004 | 385 | Reissue filing fee | |
| 1005 | 190 | 2005 | 90 | Provisional filing fee | |

SUBTOTAL (1)

(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| | | | |
| Independent Claims | | | |
| Multiple Dependent | | | |

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Description |
|--------------|--------------|----------|----------|--|
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 |
| 1201 | 66 | 2201 | 43 | Independent claims in excess of 3 |
| 1203 | 290 | 2203 | 145 | Multiple dependent claim, if not paid |
| 1204 | 86 | 2204 | 43 | ** Release independent claims over original patent |
| 1205 | 18 | 2205 | 9 | ** Release claims in excess of 20 and over original patent |

SUBTOTAL (2)

(\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large | Entity | Small | Entity | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|-------|--------|-------|--------|----------|----------|--|----------|
| 1051 | 130 | 2051 | 65 | | | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | | | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | | | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | | | For filing a request for reexamination | |
| 1804 | 920* | 1804 | 920* | | | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | | | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | | | Extension for reply within first month | 55 |
| 1252 | 420 | 2252 | 210 | | | Extension for reply within second month | |
| 1253 | 850 | 2253 | 475 | | | Extension for reply within third month | |
| 1254 | 1,480 | 2254 | 740 | | | Extension for reply within fourth month | |
| 1255 | 2,010 | 2255 | 1,005 | | | Extension for reply within fifth month | |
| 1401 | 330 | 2401 | 165 | | | Notice of Appeal | |
| 1402 | 330 | 2402 | 165 | | | Filing a brief in support of an appeal | |
| 1403 | 290 | 2403 | 145 | | | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | | | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | | | Petition to revive - unavoidable | |
| 1453 | 1,330 | 2453 | 665 | | | Petition to revive - unintentional | |
| 1501 | 1,330 | 2501 | 665 | | | Utility issue fee (or reissue) | |
| 1502 | 480 | 2502 | 240 | | | Design issue fee | |
| 1503 | 640 | 2503 | 320 | | | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | | | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | | | Petitions related to provisional applications | |
| 1806 | 180 | 1806 | 180 | | | Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 | 40 | | | Recording each patent assignment per property (times number of properties) | |
| 1809 | 770 | 2809 | 385 | | | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 1810 | 770 | 2810 | 385 | | | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 1801 | 770 | 2801 | 385 | | | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | | | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid SUBTOTAL (3)

(\$)55

SUBMITTED BY

Name (Print/Type) Scott L. Auenhus Registration No. (Attorney/Agent) 42,271 Telephone 303-571-4000

Signature *Scott Auenhus* Date December 22, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

PTO/SB/22 (08-03)

| | | |
|---|--|---|
| PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) | | Docket Number (Optional) 020618-000120US |
| In re Application of Gregory S. Hageman | | |
| Application Number 10/007,270 | | Filed November 8, 2001 |
| For THERAPEUTICS AND DIAGNOSTICS FOR OCULAR ABNORMALITIES | | |
| Art Unit 1647 | | Examiner Sharon L. Turner |

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

| | |
|---|-------|
| <input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1)) | \$110 |
| <input type="checkbox"/> Two months (37 CFR 1.17(a)(2)) | \$ |
| <input type="checkbox"/> Three months (37 CFR 1.17(a)(3)) | \$ |
| <input type="checkbox"/> Four months (37 CFR 1.17(a)(4)) | \$ |
| <input type="checkbox"/> Five months (37 CFR 1.17(a)(5)) | \$ |

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ 55 .

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 20-1430.

I have enclosed a duplicate copy of this sheet.

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☐ attorney or agent of record. Registration Number

☒ attorney or agent under 37 CFR 1.34(a).
Registration number (if acting under 37 CFR 1.34(a). 42,271 .

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

December 22, 2003

Date

Signature

Scott L. Ausenhua, Reg. No. 42,271

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 1 forms are submitted.

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